

NEW HAMPSHIRE DEPARTMENT OF STATE

William M. Gardner
Secretary of State



Robert P. Ambrose
Senior Deputy Secretary of State

David M. Scanlan
Deputy Secretary of State

Anthony B. S. Stevens
Election Director

August 28, 2019

Hon. Stephen Shurtleff
Speaker of the House of Representatives
State House, Room 311
107 North Main Street
Concord, NH 03301

Hon. Donna Soucy
President of the Senate
State House, Room 302
107 North Main Street
Concord, NH 03301

Hon. David Cote
Chair, House Committee on Election Law
Legislative Office Building, Room 308
Concord, NH 03301

Hon. Melanie Levesque
Chair, Senate Committee on Elections
Law and Internal Affairs
State House, Room 105
107 North Main Street
Concord, NH 03301

Re: Voter Affidavits for Identity

Dear Mr. Speaker, Madam President, and Committee Chairs:

Pursuant to RSA 659:13,IV(c), this letter is our report reflecting the individuals recorded by local election officials in 2018 as having signed challenged voter affidavits and qualified voter affidavits for identity purposes.

When a person seeking to vote is unable to provide an approved photo identification before obtaining a ballot, he or she can sign a Challenged Voter Affidavit ("CVA") in order to cast a ballot. After each election, this law requires the Secretary of State to send follow-up letters to voters who signed CVAs. These letters contain return post cards that the voters are asked to sign and return, confirming it was they who voted in that election. Alternately, voters may send a confirmation via email.

A 2016 revision to RSA 659:13 stated, "the (S)ecretary of (S)tate shall revise the list based on input solicited from the supervisors of the checklist." A 2017 revision to RSA 659:13 struck the above language and required the Secretary of State to "conduct an inquiry" before submitting the list of voters who signed CVAs to the Attorney General for

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investigation. The 2017 revision to RSA 659:13 reads as follows, "The (S)ecretary of (S)tate shall conduct an inquiry regarding any letters mailed ... that are returned as undeliverable ...and of voters who were mailed letters ... and have not responded to the (S)ecretary of (S)tate. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the letters. After such inquiry, the (S)ecretary of (S)tate shall prepare and forward to the (A)torney (G)eneral for investigation a list of those people whose identity or eligibility to vote could not be confirmed."

In the state special and municipal elections held between January and June of 2018, election officials recorded **173** individuals who did not present valid photo identification, were not verified on election day by local election officials, signed a challenged voter affidavit ("CVAs") to vote, and did not also sign a qualified voter affidavit. These voters were given the opportunity to confirm that they voted in the election, affirming that their identity was not used by someone else, by sending post cards or emails in response to follow-up letters. Among these 173 voters, **136** returned a post card or email confirming it was they who had voted, **23** were verified with subsequent input from local election officials (RSA 659:13), and **14** were referred to the Attorney General for investigation.

In the state primary and general election held between July and December of 2018, election officials recorded **810** individuals who did not present valid photo identification, were not verified on election day by local election officials, signed a challenged voter affidavit ("CVAs") to vote, and did not also sign a qualified voter affidavit. These voters were given the opportunity to confirm that they voted in the election, affirming that their identity was not used by someone else, by sending post cards or emails in response to follow-up letters. Among these 810 voters, **589** returned a post card or email confirming it was they who had voted, **144** were verified with subsequent input from local election officials (RSA 659:13), **15** were determined later to have not used a CVA to vote, and **62** were referred to the Attorney General for investigation.

When an individual seeks to register to vote and is unable to provide documentary evidence of identity, age, or citizenship, he or she may sign a Qualified Voter Affidavit ("QVA"), pursuant to RSA 654:12. The law requires that the Secretary of State send follow-up letters to those who signed QVAs because they were unable to prove their identity upon registering to vote. These letters contain return post cards and emails that these individuals are asked to sign and return, confirming it was they who registered to vote in that election.

A 2017 revision to RSA 654:12 requires the Secretary of State to "conduct an inquiry" before submitting the list of individuals signing QVAs for identity purposes to the Attorney General for investigation. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the voter registration form.

Between January and June of 2018, election officials recorded **31** individuals who did not verify their identity with an approved photo ID and signed a qualified voter affidavit (“QVAs”) to register to vote. These voters were given the opportunity to confirm that they registered to vote, affirming that their identity was not used by someone else, by sending post cards or emails in response to follow-up letters. Among these 31 voters, **25** returned a post card or email confirming it was they who had registered, **1** had their New Hampshire driver’s license number recorded by an election official verifying the voter’s identity, and **5** were referred to the Attorney General for investigation.

Between July and December of 2018, election officials recorded **502** individuals who did not verify their identity with an approved photo ID and signed a qualified voter affidavit (“QVAs”) to register to vote. These voters were given the opportunity to confirm that they registered to vote, affirming that their identity was not used by someone else, by sending post cards or emails in response to follow-up letters. Among these 502 voters, **366** returned a post card or email confirming it was they who registered, **4** voters were determined to been recorded incorrectly as signing a QVA, and **132** were referred to the Attorney General for investigation.

Please find enclosed tables entitled “Challenged Voter Affidavits (CVAs), Summary Report, 2012 through 2018;” and “Qualified Voter Affidavits (QVAs), Summary Report, 2012 through 2018.” These tables summarize the disposition of CVA and QVA affidavit follow-up letters sent by the Secretary of State starting in 2012. Pursuant to RSA 654:12 and RSA 659:13, the Secretary of State must forward to the Attorney General for investigation the names of voters who either did not respond to affidavit follow-up letters or could not be verified in the Secretary of State’s inquiry.

Although the law does not require it, we are enclosing a table entitled “Domicile Affidavits (DAs) and Sworn Statements of Domicile (SSODs), Summary Report, 2012 – 2018. This summary incorporates the results of our follow-up efforts and referrals for this affidavit category.

Please refer to the attached tables for reports of the numbers of challenged voter affidavits and qualified voter affidavits by voting district and time period. Please feel free to contact our office if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Anthony B.S. Stevens", with a stylized flourish at the end.

Anthony B.S. Stevens
Election Director

Enclosures:

Challenged Voter Affidavits (CVAs), Summary Report, 2012 through 2018

Qualified Voter Affidavits (QVAs), Summary Report, 2012 through 2018

Domicile Affidavits (DAs) and Sworn Statements of Domicile (SSODs), Summary Report, 2012 - 2018

Challenged Voter Affidavit Table by Town and City Ward, Jan. – June, 2018

Challenged Voter Affidavit Table by Town and City Ward, July – Dec., 2018

Qualified Voter Affidavit Table by Town and City Ward, Jan. – June, 2018

Qualified Voter Affidavit Table by Town and City Ward, July – Dec., 2018

Copies:

Anne M. Edwards, Associate Attorney General, Department of Justice

Nicholas Chong Yen, Assistant Attorney General, Department of Justice

David M. Scanlan, Deputy Secretary of State

Orville B. Fitch, II, Elections Counsel, Department of State

[illegible]

Summary Report, 2012 - 2018

Date Ranges	Letters Sent to Voters Without Photo ID or Verification; or QVA Letter	Letters sent in error, or further information provided by election official	Returned by the U.S. Postal Service: "Return to Sender" (net)	Letters Delivered to address but Voters did not Return Postcard (net)	Voter Returned Postcard	Local election official recognized in SOS inquiry	Forwarded to Attorney General for Investigation	Reconciliation Check
Nov, 2012	5,609		374	1,324	3,911		1,698	5,609
Jan - June, 2013	1,834		69	314	1451		383	1,834
July - Dec, 2013	1,071		34	175	862		209	1,071
Jan - June, 2014	1,440		52	258	1130		310	1,440
June - Dec, 2014 ^{*1}	3,654		209	697	2748		906	3,654
Jan - June, 2015	683		24	153	506		177	683
July - Dec, 2015	488		20	133	335		153	488
Jan - May, 2016	1,158		73	295	790		368	1,158
May - Dec, 2016 ^{*2}	1,423	5	58	71	978	311	129	1,423
Jan - June, 2017 ^{*2}	153		1	14	118	20	15	153
July - Dec, 2017 ^{*3}	245	3	13	26	184	19	39	245
Jan - June, 2018 ^{*3}	173		1	13	136	23	14	173
July - Dec, 2018 ^{*3}	810	15	18	44	589	144	62	810

*1 - Errors by several jurisdictions, discovered after the mailing, resulted in at least 172 voters receiving mailings in error.

*2 - A 2016 revision to RSA 659:13 requires the Secretary of State to revise the CVA list based on input solicited from supervisors of the checklist before sending it to the Attorney General.

*3 - A 2017 revision to RSA 659:13 called for the Secretary of State to "conduct an inquiry" before submitting the CVA list to the Attorney General. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the voter registration form.

Qualified Voter Affidavits (QVAs)

Summary Report, 2012 - 2018

Date Ranges	Letters Sent to Voters Registering Without Photo ID	Mailed in error, or further information provided by election official	Returned by U.S.Postal Service: "Return to Sender"	Letters Delivered to Address but Voter did not Return Postcard	Voter Returned Postcard or emailed response	Forwarded to AG for Investigation	Reconciliation Check
July - Dec, 2012	2,629		210	1,060	1,359	1,270	2,629
Jan - June, 2013	53		1	20	32	21	53
July - Dec, 2013	23		3	9	11	12	23
Jan - June, 2014	47		1	14	32	14	47
July - Dec, 2014	344		17	123	204	140	344
Jan - June, 2015	31		1	13	17	15	31
July - Dec 2015	41		1	17	23	18	41
Jan - May, 2016	731		84	271	376	355	731
May - Dec, 2016	764		63	377	324	440	764
Jan - June, 2017	7		-	1	6	1	7
July - Dec, 2017 ^{*1}	18		1	4	13	5	18
Jan -June, 2018 ^{*1}	31	1	1	4	25	5	31
July - Dec, 2018 ^{*1}	502	4	35	97	366	132	502

*1 - A 2017 revision to RSA 654:12 requires the Secretary of State to to "conduct an inquiry" before submitting the QVA list to the Attorney General for investigation. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the voter registration form.

Domicile Affidavits (DAs) & Sworn Statements of Domicile (SSODs)

Summary Report, 2012 - 2018

Domicile Affidavits, 2006 through September 7, 2017

Sworn Statements of Domicile, effective September 8, 2017

Date Ranges	Sworn Statements of Domicile	Letters Sent to Voters who Provided no Evidence of Domicile (and, starting Sept 8, 2017, could not be verified) ^{*3}	Returned by the U.S. Postal Service: "Return to Sender"	Forwarded to AG for Investigation
Nov, 2012 ^{*1}	13,939	13,939	1,193	1,193
Jan - June, 2013	101	101	9	9
July - Dec, 2013	211	211	19	19
Jan - June, 2014	301	301	15	15
July - Dec, 2014	2,983	2,983	154	154
Jan - June 2015	279	279	69	69
July - Dec, 2015	552	552	37	37
Jan - May, 2016	2,657	2,657	283	283
May - Dec, 2016	6,033	6,033	458	458
Jan - June, 2017	338	338	46	46
July - Sept 7, 2017	48	48	1	1
Sept 8 - Dec, 2017 ^{*2}	126	3	2	2
Jan - June, 2018	115	5	1	1
June - Dec, 2018 ^{*3}	1,669	73	7	7

*1 - In 2012, the Legislature adopted legislation with an effective date that was before the software could identify the date domicile affidavits had been signed. As a result, letters were sent to all those who were recorded as signing domicile affidavits from 2006 through 2012.

*2 - A 2017 revision to RSA 654:12 named Senate Bill 3 requires the Secretary of State to conduct an inquiry regarding any letters returned as undeliverable. Such inquiry may include consulting with and examining public records held by, municipal officials, and interviewing persons living at the address listed on the letters. The 2017 revision introduced a new voter registration form that gives voters that don't provide evidence of domicile the option of returning with such evidence. As a result of these new vetting and follow-up requirements, follow-up letters were sent only to those whose domicile could not be independently verified.

*3 - In October of 2018 , the Hillsborough County Superior Court issued an injunction against the implementation of Senate Bill 3. Following this, the New Hampshire Supreme Court issued a stay of the lower court injunction, obligating election officials to use the Senate Bill 3 Voter Registration Form in the November, 2018 General Election. Starting the day after the November, 2018 General Election, local election officials began using the July 2016 Voter Registration Form and, when needed, the Domicile Affidavit Form used with that form.

Challenged Voter Affidavits

January - June, 2018

Town and City Ward Subtotals

TOWN & CITY NAME	WARD	CVAs	TOWN & CITY NAME	WARD	CVAs
AUBURN	00	1	LONDONDERRY	00	3
BEDFORD	00	9	MADBURY	00	2
BENNINGTON	00	2	MERRIMACK	03	14
BETHLEHEM	00	1	MILFORD	00	9
BOSCAWEN	00	3	NASHUA	04	1
BOW	00	11	NASHUA	08	1
BROOKLINE	00	9	NASHUA	09	3
CLAREMONT	02	1	NEW IPSWICH	00	2
CLAREMONT	03	1	NEWPORT	00	2
CONWAY	00	1	NORTH HAMPTON	00	1
DANVILLE	00	2	NOTTINGHAM	00	1
DERRY	04	8	PEMBROKE	00	1
ENFIELD	00	1	PETERBOROUGH	00	4
GOFFSTOWN	01	1	PLAISTOW	00	2
HAMPTON	00	14	RAYMOND	00	3
HANOVER	00	2	RINDGE	00	1
HOOKSETT	05	5	RYE	00	9
HOPKINTON	00	2	SALEM	06	9
HUDSON	00	2	SANDOWN	00	3
KINGSTON	00	2	SWANZEY	00	7
LACONIA	03	4	TAMWORTH	00	2
LEE	00	1	WINDHAM	00	5
LITCHFIELD	00	3	WOLFEBORO	00	1
LITTLETON	00	1	Total CVAs - Jan - June, 2018		173

Challenged Voter Affidavits (CVAs)						
July - December, 2018						
Town and City Ward Subtotals						
TOWN & CITY NAME	WARD	CVAs		TOWN & CITY NAME	WARD	CVAs
ALLENSTOWN	00	1		GILMANTON	00	2
ALTON	00	2		GOFFSTOWN	01	6
AMHERST	00	3		GRAFTON	00	1
ATKINSON	00	3		GREENLAND	00	3
AUBURN	00	2		HAMPTON	00	18
BARRINGTON	00	1		HANOVER	00	17
BEDFORD	00	42		HILLSBOROUGH	00	7
BELMONT	00	5		HOLDERNESS	00	3
BERLIN	01	2		HOLLIS	00	10
BOSCAWEN	00	1		HOOKSETT	06	12
BOW	00	16		HOPKINTON	00	1
BRENTWOOD	00	2		HUDSON	00	17
BROOKLINE	00	19		KEENE	01	1
CAMPTON	00	1		KEENE	02	16
CLAREMONT	01	2		KEENE	03	5
CLAREMONT	02	1		KEENE	04	5
CLAREMONT	03	7		KENSINGTON	00	2
COLEBROOK	00	1		LACONIA	01	3
CONCORD	01	5		LACONIA	02	3
CONCORD	02	2		LACONIA	04	1
CONCORD	05	5		LACONIA	05	1
CONCORD	06	2		LEBANON	01	6
CONCORD	07	3		LEBANON	02	8
CONCORD	08	3		LEE	00	3
CONCORD	09	1		LITCHFIELD	00	10
CONCORD	10	20		LITTLETON	00	2
DANVILLE	00	3		LONDONDERRY	00	24
DEERFIELD	00	5		LOUDON	00	3
DERRY	04	30		MADBURY	00	2
DOVER	01	1	MANCHESTER	01	3	
DOVER	03	1	MANCHESTER	02	2	
DOVER	04	4	MANCHESTER	03	10	
DOVER	06	4	MANCHESTER	04	1	
DURHAM	00	10	MANCHESTER	06	2	
EPPING	00	2	MANCHESTER	07	2	
FRANKLIN	01	5	MANCHESTER	08	5	
FRANKLIN	03	2	MANCHESTER	09	7	
FREMONT	00	3	MANCHESTER	10	8	
GILFORD	00	1	MANCHESTER	11	1	

TOWN & CITY NAME	WARD	CVAs
MANCHESTER	12	2
MERRIMACK	03	28
MILFORD	00	25
MONT VERNON	00	2
NASHUA	01	12
NASHUA	02	7
NASHUA	03	15
NASHUA	04	16
NASHUA	05	12
NASHUA	06	10
NASHUA	07	7
NASHUA	08	12
NASHUA	09	10
NEW BOSTON	00	2
NEW HAMPTON	00	1
NEW IPSWICH	00	3
NEWMARKET	00	12
NEWPORT	00	1
NORTH HAMPTON	00	6
NORTHFIELD	00	9
NOTTINGHAM	00	4
PELHAM	00	8
PIERMONT	00	1
PITTSFIELD	00	1
PLAINFIELD	00	2
PLAISTOW	00	4
PORTSMOUTH	01	8
PORTSMOUTH	02	17
PORTSMOUTH	03	9
PORTSMOUTH	05	7
RAYMOND	00	3
ROCHESTER	01	3
ROCHESTER	02	8
ROCHESTER	03	1
ROCHESTER	04	3
ROCHESTER	05	5
ROCHESTER	06	1
RYE	00	6
SALEM	06	18

TOWN & CITY NAME	WARD	CVAs
SANBORNTON	00	1
SANDOWN	00	8
SOMERSWORTH	04	1
SOMERSWORTH	05	1
STARK	00	4
STRAFFORD	00	1
STRATHAM	00	9
SWANZEY	00	9
TAMWORTH	00	2
WEARE	00	1
WESTMORELAND	00	1
WINDHAM	00	15
TOTAL CVAs - July - Dec, 2018		810

Qualified Voter Affidavits		
January - June, 2018		
Town and City Ward Subtotals		
TOWN	WARD	QVAs
BARTLETT	00	2
BATH	00	1
BETHLEHEM	00	1
BROOKLINE	00	1
DANVILLE	00	1
GOFFSTOWN	00	1
HAMPTON	00	3
HAVERHILL	00	1
HENNIKER	00	1
HUDSON	00	3
KEENE	00	1
LITCHFIELD	00	1
NEW BOSTON	00	1
NEWFIELDS	00	1
RINDGE	00	3
SANDOWN	00	1
STARK	00	3
SUTTON	00	1
TAMWORTH	00	2
TUFTONBORO	00	1
WINDHAM	00	1
Total QVAs - Jan - June, 2018		31

Qualified Voter Affidavits (QVAs)

July - December, 2018

Town and City Ward Subtotals

TOWN NAME	WARD	QVAs	TOWN NAME	WARD	QVAs
ALLENSTOWN	00	2	FRANKLIN	02	2
ALTON	00	1	GILMANTON	00	2
AMHERST	00	1	GOFFSTOWN	00	20
ANTRIM	00	7	GORHAM	00	2
ASHLAND	00	5	GREENVILLE	00	2
BARNSTEAD	00	1	HAMPTON	00	14
BARRINGTON	00	3	HANOVER	00	7
BARTLETT	00	4	HAVERHILL	00	1
BEDFORD	00	7	HENNIKER	00	3
BERLIN	01	2	HINSDALE	00	2
BOSCAWEN	00	1	HOLDERNESS	00	1
BOW	00	2	HOLLIS	00	1
BRADFORD	00	1	HOPKINTON	00	3
BRENTWOOD	00	1	HUDSON	00	11
BRIDGEWATER	00	1	KEENE	01	24
BRISTOL	00	2	KEENE	02	3
CANDIA	00	1	KEENE	04	2
CHESTER	00	1	KEENE	05	3
COLEBROOK	00	3	LACONIA	01	1
CONCORD	02	5	LACONIA	04	2
CONCORD	03	4	LEBANON	01	2
CONCORD	04	11	LEBANON	03	1
CONCORD	05	4	LEE	00	4
CONCORD	06	3	LITCHFIELD	00	2
CONCORD	07	2	LOUDON	00	1
CONCORD	08	2	LYNDEBOROUGH	00	2
CONCORD	09	2	MADBURY	00	3
CONWAY	00	7	MANCHESTER	01	5
CORNISH	00	1	MANCHESTER	02	9
DERRY	04	11	MANCHESTER	03	17
DOVER	01	7	MANCHESTER	04	8
DOVER	02	9	MANCHESTER	05	1
DOVER	03	3	MANCHESTER	06	7
DOVER	04	6	MANCHESTER	07	6
DOVER	05	4	MANCHESTER	08	4
DOVER	06	6	MANCHESTER	10	2
DUBLIN	00	2	MANCHESTER	11	8
DURHAM	00	18	MANCHESTER	12	2
EPPING	00	5	MARLBOROUGH	00	3
EXETER	00	3	MEREDITH	00	1
FARMINGTON	01	2	MERRIMACK	03	6

TOWN NAME	WARD	QVAs
MILFORD	00	11
MILTON	00	1
MONROE	00	1
MONT VERNON	00	4
NASHUA	01	1
NASHUA	02	1
NASHUA	05	1
NASHUA	06	1
NEW BOSTON	00	16
NEW CASTLE	00	3
NEW HAMPTON	00	1
NEW IPSWICH	00	1
NEW LONDON	00	5
NEWFIELDS	00	1
NORTHFIELD	00	1
NORTHWOOD	00	1
PELHAM	00	1
PEMBROKE	00	2
PETERBOROUGH	00	4
PITTSBURG	00	1
PLAINFIELD	00	1
PLYMOUTH	00	31

TOWN NAME	WARD	QVAs
PORTSMOUTH	01	1
PORTSMOUTH	03	1
PORTSMOUTH	05	2
RINDGE	00	2
ROCHESTER	04	1
ROCHESTER	05	3
ROCHESTER	06	3
RUMNEY	00	3
RYE	00	5
SALEM	06	4
SANDOWN	00	4
SANDWICH	00	1
SHARON	00	1
STRAFFORD	00	1
SUNAPEE	00	2
SUTTON	00	4
TAMWORTH	00	1
WAKEFIELD	00	2
WARNER	00	1
WEARE	00	1
WILTON	00	5
WINDHAM	00	1
Total QVAs - July - Dec, 2018		502